

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

DAVID PARSONS,	)	Case No.: 1:15-cv-11446
	)	
Plaintiff,	)	
v.	)	Hon.
	)	
GC SERVICES LIMITED PARTNERSHIP,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

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**COMPLAINT**

NOW COMES Plaintiff, DAVID PARSONS (“Plaintiff”), through his attorneys, KROHN & MOSS, LTD., and hereby alleges the following against Defendant, GC SERVICES LIMITED PARTNERSHIP (“Defendant”):

**INTRODUCTION**

1. This action is brought by Plaintiff pursuant to the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*, and Mich. Comp. Laws § 445.251-258.

**JURISDICTION and VENUE**

2. Jurisdiction of this court arises pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1337 and 15 U.S.C. § 1692k(d).

3. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2) as the conduct giving rise to this action occurred in this district as Plaintiff resides in this district and Defendant transacts business in this district.

**PARTIES**

4. Plaintiff is a natural person at times relevant residing in Lapeer County in Clifford, Michigan

5. Plaintiff owes or allegedly owes a debt as that term is defined by 15 U.S.C. § 1692a(5) and Mich. Comp. Laws § 445.251(a) and is a consumer as that term is defined by 15 U.S.C. § 1692a(3) and Mich. Comp. Laws § 445.251(d).

6. Defendant is a business entity incorporated in Delaware with an office located at 6330 Gulfport St., Houston, Texas 77081.

7. Defendant, in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection and is a debt collector as that term is defined by 15 U.S.C. § 1692a(6) and/or a collection agency as that term is defined by Mich. Comp. Laws § 445.251(b).

8. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

### **FACTUAL ALLEGATIONS**

9. Prior to the filing of this action, an account was placed with Defendant to collect funds from Plaintiff which were alleged to be owed and past due (“debt”).

10. The debt arises from transactions on a credit card which were for personal use.

11. In connection with the collection of the debt, Defendant places telephone calls to Plaintiff.

12. On or about January 13, 2015, placed a telephone call to Plaintiff and left the following message:

Hello this message is for David Parsons, my name is Brittany Green, I would appreciate you calling me back. You can reach me at 866-391-0768 extension 5733. Thank you.

13. The Defendant placed the aforementioned call to try and collect the alleged debt from Plaintiff.

14. Defendant did not, through its message, disclose Defendant’s identity.

15. Defendant did not, through its message, state its name.
16. Defendant did not, through its message, state its agents' duties, role or position.
17. Defendant did not, through its message, state the nature of its business.
18. Defendant did not, through its message, disclose that it was a debt collector.
19. Defendant did not, through its message, disclose that the purpose of its call was to collect a debt.
20. Defendant, through its message, withheld its name to deceive Plaintiff as to Defendant's true identity.
21. Defendant, through its message, withheld the nature of its call to deceive Plaintiff as to Defendant's true purpose to collect funds from Plaintiff.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

22. Defendant violated the FDCPA based on the following:
  - a) Defendant violated § 1692d(6) of the FDCPA by failing to provide Plaintiff with its identity in its messages for Plaintiff; and
  - b) Defendant violated § 1692e(11) of the FDCPA by failing to disclose in its messages that it is a debt collector.

WHEREFORE, Plaintiff, DAVID PARSONS, respectfully requests judgment be entered against Defendant, GC SERVICES LIMITED PARTNERSHIP, for the following

23. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k;
24. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k, and
25. Any other relief that this Honorable Court deems appropriate.

**COUNT II**  
**DEFENDANT VIOLATED MICH. COMP. LAWS § 445.251-258**

26. Defendant violated Mich. Comp. Laws § 445.252(e) by concealing or not revealing the purpose of a communication when it is made in connection with collecting a debt.

27. Defendant violated Mich. Comp. Laws § 445.252(g) by communicating with Plaintiff without accurately disclosing its identity.

WHEREFORE, Plaintiff, DAVID PARSONS, respectfully requests judgment be entered against Defendant, GC SERVICES LIMITED PARTNERSHIP, for the following

28. Statutory damages of \$50.00 pursuant to Mich. Comp. Laws § 445.257(2);

29. Statutory damages of \$150.00 pursuant to Mich. Comp. Laws § 445.257(2) if the Court finds Defendant's violation(s) was willful;

30. Reasonable attorneys' fees and court costs pursuant to Mich. Comp. Laws § 445.257(2); and

31. Any other relief that this Honorable Court deems appropriate

Respectfully submitted,

Dated: April 21, 2015

/s/ Adam T. Hill

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